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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/789,534

02/26/2004

Mark Rutledge

DE001US

9479

7590

10/18/2006

Directed Electronics Inc
One Viper Way
Vista, CA 92081

EXAMINER

WALK, SAMUEL J

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/789,534

Applicant(s)

RUTLEDGE, MARK

Examiner

Samuel J. Walk

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,8,10,14,16,21,23 and 27-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,8,10,14,16,21,23 and 27-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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DETAILED ACTION

Examiner's Note

1. The rejection under 35 U.S.C 103(a) previously presented in the Office Action dated 07/13/2006 with AAPA in view of Khan was mislabeled. The body of the rejection contained the correct Art (Khan) and rejection; however, the heading was mislabeled as using Lee. Examiner apologizes for any confusion or inconvenience.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 8, 10, 14, 16, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Khan (6789928) and in further view of Curatolo (US 6510380).

In reference to Claims 1, 3, 8, 10, 14, 16, 21 and 23,
AAPA, pg 1 of the specification:

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"Mobile alarm systems commonly employ a central alarm controller and one or more components. The components are physically separate from the central alarm controller (otherwise they may be incorporated into the central alarm controller). For example, in automobile alarm systems, a central alarm system may be located in a passenger compartment while an alarm indicator (component), such as a siren, may be located in an engine compartment. Commonly, the central alarm controller communicates with components, such as the alarm indicator, via one or more conductive wires. In some mobile environments, it is difficult, tedious, or nearly impossible, to run wires between the central alarm controller and some alarm components.

A need thus exists for a mobile alarm system and method that eliminates or reduces the wiring between the central alarm controller and one or more alarm components. The present invention provides such a mobile alarm system and method."

Thus, AAPA discloses all claimed subject matter except wireless communication between vehicle components. However, Khan (US 6789928) discloses an automotive mechatronic wheel light device wherein an electronic control module 50 provides light functions concurrent to the activation of the vehicle's theft alarm with a wireless connection such as RF transmission technology, see Col. 8 lns 32, 49-51 and 54-58. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings

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of Lee into the admitted common knowledge because wireless communication is less costly to install, maintain and repair. Khan further teaches the system can compliment an already existing electronic anti-theft alarm which includes activation of the vehicle horn, i.e. audible alarm. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use both audible and visual alarm indication. AAPA and Khan still do not teach alarm activation based on the non-receipt of signals between a control module and a monitored object. However, Curatolo teaches of a security and tracking system wherein the alarm situation is determined when there is an absence of periodic signals between a first signalling unit and a second signalling unit, see Col. 3 lns 5-15. Therefore, one having ordinary skill in the art at the time the invention was made would have incorporated the teachings of Curatolo into the system of AAPA and Khan because monitoring alarm conditions wherein receipt and non-receipt of signals provide a comprehensive alarm system and thus provides greater theft prevention.

4. Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Khan in view of Curatolo and in further view of Camhi (US 5825283).

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Regarding Claims 27-34 and 38, AAPA, Khan and Curatolo

disclose a system of providing an audible alarm in situations of receipt and non-receipt of monitored objects. The combined system does not teach providing an alarm based on local conditions or measurable physical engine conditions. However, Camhi discloses a system for the security and auditing of persons and property wherein a processor 12 activates output device 34, such as an alarm, in response to sensors 28 which include vehicle hood status, engine temperature, wheel revolutions, vehicle mechanical operations, vehicle motion detection, etc. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Camhi into the combined system because monitoring the local conditions of a vehicle greatly increases the prevention of theft and vehicle degradation. In addition, it would have been obvious to one of ordinary skill in the art to monitor and activate an alarm on any number of vehicle conditions such as engine revolutions and other measurable vehicle parameters. In addition, one of ordinary skill would have readily recognized that combining the system of Camhi into a system of wireless connectivity, then the components of Camhi would also be wireless.

5. Claims are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Khan in view of Curatolo and in further view of Hwang (US 5739749).

Regarding Claims 35-37, AAPA, Khan and Curatolo disclose a system of providing an audible alarm in situations of receipt and non-receipt of monitored objects. The combined system does not teach restricting engine activation in response to a local condition. However, Hwang teaches of a forced passive anti-hijack security system wherein in response to sensor 30, and after timers 111 expire, starter, engine and fuel are disabled and/or killed, see Col. 3 lns 54-58 and Col. 5 lns 47-50.. Therefore, one having ordinary skill in the art at the time the invention was made would have incorporated the teachings of Hwang into the combined system to increase prevention of theft.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 3, 8, 10, 14, 16, 21 and 23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS**

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ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

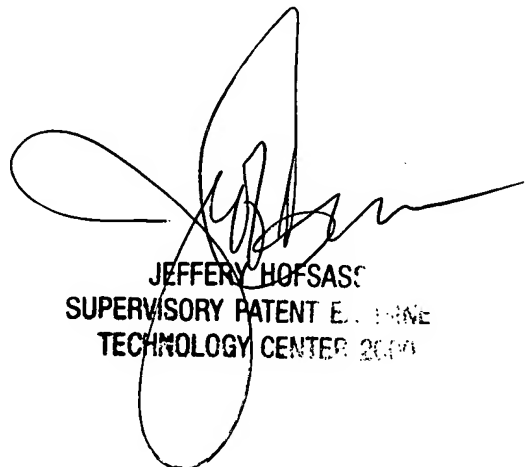
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nouri (US 5644287) discloses a combination under hood security switch and lamp assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel J. Walk whose telephone number is (571) 272-2960. The examiner can normally be reached on M-F: 8:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



JEFFERY HOFSSASS
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